

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTINA NICOLE DEHARO,

Defendant.

CR 19–127–BLG–DLC

ORDER

Before the Court is Defendant Christina Nicole Deharo’s Unopposed Motion for Early Termination of Supervision. (Doc. 145.) The United States does not oppose. (Doc. 146 at 4.) For the reasons below, the Court grants the motion.

**Background**

On November 10, 2020, Defendant was sentenced for being a prohibited person in possession of a firearm in violation of 18 U.S.C. § 922(g)(1) and false statement in violation of 18 U.S.C. § 1001(a)(2). (Doc. 109.) The Court sentenced Defendant to time served of 94 days as to both counts, to run concurrently, followed by three years of supervised release. (*Id.*) Defendant began serving her original term of supervision on November 10, 2020. (Doc. 112 at 1.) On February 9, 2021, the Court revoked Defendant’s supervised release after she admitted to violating two conditions of her supervised release: the mandatory

condition that she refrain from the unlawful use of a controlled substance and the special condition that she participate in substance abuse testing. (Doc. 123.) The Court sentenced Defendant to five months imprisonment and 31 months of supervised release. (*Id.* at 2, 3.) Defendant began her second term of supervised release on June 30, 2021. (Doc. 127 at 2.) On March 17, 2022, the Court revoked Defendant's supervised release after she admitted to violating the mandatory condition that she refrain from the unlawful use of a controlled substance. (Doc. 140.) The Court sentenced Defendant to four months imprisonment and 27 months of supervised release. (*Id.* at 2, 3.) Defendant began her current term of supervised release on May 27, 2022. (Doc. 146 at 2.)

### **Discussion**

A court may “terminate a term of supervised release . . . at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). In determining whether to terminate a term of supervised release, courts consider the factors set forth in 18 U.S.C. § 3553(a). 18 U.S.C. § 3564. These factors include:

(1) the nature and circumstances of the offense and the history and characteristics of the defendant; (2) deterrence; (3) protection of the public; (4) the need to provide the defendant with educational, vocational training, medical care or other rehabilitation; (5) the

sentence and sentencing range established for the category of defendant; (6) any pertinent policy statement by the Sentencing Commission; (7) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and (8) the need to provide restitution to any victims of the offense.

*United States v. Smith*, 219 F. App'x 666, 667 (9th Cir. 2007) (unpublished).

Defendant argues that her supervised release should be terminated because she has found sobriety and stability following her completion of the Yellowstone County 13th Judicial District Court's STAR Program. (Doc. 146 at 4.) Defendant graduated the program on November 16, 2023, and continues to attend Narcotics Anonymous meetings. (*Id.*) Defendant has maintained employment since June 2022 and hopes to pursue a career in the healthcare profession. (*Id.*) The Court notes that Defendant's previous violations related to substance abuse, and she has not violated any conditions of the current term of supervised release. The Court is encouraged by Defendant's sobriety and believes Defendant can live a lawful and productive life without supervision.

Thus weighing "the nature and circumstances of the offense" against the "characteristics" of Defendant, along with the need to promote "deterrence" and "protect the public," the Court agrees with Defendant that continued supervision is no longer necessary. Accordingly,

IT IS ORDERED that Defendant's Motion (Doc. 145) is GRANTED.

Christina Nicole Deharo's term of supervised release is TERMINATED as of the date of this Order.

DATED this 22nd day of January, 2024.



---

Dana L. Christensen, District Judge  
United States District Court